

1 Total pages: 2  
2 JAMES E. SALVEN  
3 Chapter 7 Trustee  
4 8427 N. Millbrook Ave., Suite 101  
5 Fresno, California 93720  
6 (559) 230-1095

7 **IN THE UNITED STATES BANKRUPTCY COURT**  
8 **EASTERN DISTRICT OF CALIFORNIA**

9 In the Matter of

Case No. 10-10147-B-7

10 DC No. JES-2

11 **ROY MANUEL FIALHO,**

**MOTION FOR AUTHORIZATION  
TO SELL PERSONAL PROPERTY**

12  
13 Debtor(s).  
14 \_\_\_\_\_ /

Date: July 27, 2011  
Time: 10:00 a.m.  
Dept: B

15 TO THE HONORABLE W. RICHARD LEE, UNITED STATES BANKRUPTCY  
16 JUDGE:

17 James Salven respectfully represents:

18 1. He is the duly appointed, qualified and acting trustee of  
19 the above-entitled estate.

20 2. The above-captioned case was filed under Chapter 7 on  
21 01/07/2010.

22 3. This Court has jurisdiction over this proceeding by  
23 virtue of 28 U.S.C. §1334(a). This is a "core" proceeding pursuant  
24 to 28 U.S.C. §157(b) (2) (A). This motion is brought pursuant to  
25 11 U.S.C. §363.

26 4. Among the assets of this estate are: 50% interest in  
27 Boston House of Pizza located in Hanford, CA; 50% interest in  
28 Boston House of Pizza located in Corcoran, CA; equipment for

1 Boston House of Pizza-Hanford; business inventory; 1995 Dodge  
2 Dakota pick-up; 2001 Mercedes Benz with 165,000 miles; 12 gauge  
3 shotgun.

4 5. The trustee has obtained an offer from the debtor(s) ROY  
5 MANUEL FIALHO to purchase said asset(s), for the sum of \$29,312  
6 less a valid exemption of \$16,025, for net cash to the estate of  
7 \$13,287. Funds have been by the estate and are awaiting court  
8 approval.

9 6. The trustee has not agreed to pay commissions to any  
10 party in connection with the proposed sale.


11 7. The property is to be sold subject to liens and  
12 encumbrances of record, of which there are none known.

13 8. Said offer is the best and highest offer received for  
14 said property and, in the opinion of the trustee, said offer is for  
15 the full and fair market value of said property.

16 9. The trustee believes that confirmation of said sale on  
17 the terms set forth above is in the best interest of the creditors  
18 of this estate and all parties in interest.

19 WHEREFORE, the trustee prays that after appropriate notice and  
20 opportunity to be heard, he be authorized to sell the above-  
21 described asset to the debtor(s), ROY MANUEL FIALHO.

22  
23  
24 DATED: 6/16/11

  
\_\_\_\_\_  
JAMES E. SALVEN,  
Movant